

A Member: What arrangement could be made about excusing Brother Forbes tomorrow?

Mr. Forbes: I do not want the rest of you to work tomorrow and desecrate the Sabbath day. I want to pray for you; I love every one of you, and I do not want you to do something that I would not do myself.

Whereupon the motion to rise, report progress and ask permission of the House to recess until Sunday morning at 9 o'clock was withdrawn.

Thereupon, motion by the gentleman from Harris was made that the Committee rise, report progress and ask leave of the House to adjourn until Monday morning at 10 o'clock.

The Chairman: All in favor of the Committee rising, reporting progress and asking permission of the House to adjourn until next Monday morning at 10 o'clock will say "aye"; those opposed "no."

Thereupon the question was taken and the motion prevailed.

FIFTH DAY.

(Tuesday, February 25, 1930.)

The House met at 9:30 o'clock a. m., pursuant to adjournment, and was called to order by Speaker Barron.

The roll was called and developed the fact that there was not a quorum present.

Mr. Barnett moved a call of the House for the purpose of securing a quorum, and the call was duly ordered.

The Speaker then directed the Doorkeeper to close the main entrance to the Hall and instructed the Sergeant-at-Arms to lock all other doors leading from the Hall, and stated that no member would be permitted to leave the Hall without written permission from the Speaker.

On motion of Mr. Barnett, the Sergeant-at-Arms was instructed to bring in all absent members within the city who are not ill.

The roll was again called, and the following members were present:

Mr. Speaker.	Bateman.
Acker.	Beck.
Ackerman.	Bond.
Adkins.	Bounds.
Albritton.	Bradley.
Allred.	Brice.
Anderson.	Brooks.
Baker.	Carpenter.
Baldwin.	Chastain.
Barnett.	Coltrin.

Conway.	McCombs.
Cox of Lamar.	McDonald.
Cox of Limestone.	McGill.
Davis.	Mehl.
DeWolfe.	Metcalfe.
Dunlap.	Moore.
Enderby.	Morse.
Eickenroht.	Mosely.
Farrar.	Mullally.
Finn.	Negley.
Finlay.	Nicholson.
Forbes.	Olsen.
Gilbert.	Palmer.
Giles.	Patterson.
Graves	Pavlica.
of Williamson.	Petsch.
Graves of Erath.	Pool.
Hardy.	Prendergast.
Harding.	Purl.
Harman.	Quinn.
Harper.	Ray.
Harrison.	Reader.
Heaton.	Renfro.
Hefley.	Richardson.
Hines.	Riley.
Hogg.	Rogers.
Holder.	Sanders.
Hopkins.	Savage.
Jenkins.	Shaver.
Johnson	Shelton.
of Dallam.	Simmons.
Johnson	Sinks.
of Dimmit.	Snelgrove.
Johnson of Smith.	Stephens.
Johnson of Scurry.	Stevenson.
Jones.	Storey.
Justiss.	Tarwater.
Kayton.	Terrell.
Keeton.	Tillotson.
Keller.	Turner.
Kemble.	Van Zandt.
Kennedy.	Veatch.
King.	Waddell.
Kinnear.	Wallace.
Lee.	Webb.
Lemens.	West.
Long of Houston.	Wiggs.
Loy.	Williams
Magee.	of Sabine.
Mankin.	Williams
Marks.	of Travis.
Mauritz.	Woodruff.
Maynard.	Young.

Absent.

Gates.	Pope of Jones.
Hornaday.	Pope of Nueces.
Kenyon.	Reid.
Land.	Thompson.
Long of Wichita.	Warwick.
Martin.	Williams
O'Neill.	of Hardin.

Absent—Excused.

Avis.	Ewing.
Duvall.	Fuchs.

Hubbard.	Rountree.
Kincaid.	Sherrill.
McKean.	Speck.
Minor.	Strong.
Montgomery.	Walters.
Murphy.	Westbrook.

A quorum was announced present.

Prayer was offered by Rev. J. C. Mitchell, Chaplain.

LEAVES OF ABSENCE GRANTED.

The following members were granted leaves of absence on account of important business:

Mr. Kincaid for today and the balance of the week, on motion of Mr. Wiggs.

Mr. Duvall for today, on motion of Mr. Patterson.

Mr. Westbrook for today, on motion of Mr. Hopkins.

Mr. Speck for today, on motion of Mr. Purl.

Mr. Murphy for today, on motion of Mr. Turner.

The following members were granted leaves of absence on account of illness:

Mr. Fuchs for today, on motion of Mr. Shelton.

Mr. Rountree for today, on motion of Mr. Metcalfe.

Mr. Avis for today and indefinitely, on motion of Mr. Brice.

Mr. Williams of Hardin for today and indefinitely, on motion of Mr. Quinn.

Mr. Walters was granted leave of absence for today on account of a death in his family, on motion of Mr. Farrar.

COMMITTEE TO SELECT FLOWERS FOR MR. EWING.

The Speaker announced the appointment of the following as a committee to provide a floral offering for Hon. R. B. Ewing: Messrs. Williams of Sabine, Renfro, Conway, Bateman and Holder.

TO PROVIDE FLOWERS FOR DESK OF HON. R. B. EWING.

On motion of Mr. Gilbert, the chairman of the Committee on Contingent Expenses was authorized to secure flowers to be placed on the desk of Hon. R. B. Ewing, deceased.

APPOINTMENT OF PAGE ANNOUNCED.

The Speaker announced the appointment of Dave Elliott as page.

COMMITTEE OF THE WHOLE HOUSE.

On motion of Mr. Sanders, the House, at 10 o'clock a. m., resolved itself into a Committee of the Whole House for the purpose of hearing impeachment charges against the State Comptroller.

(In Committee of the Whole House, Mr. Barron in the chair.)

IN THE HOUSE.

(Mr. Barron in the chair.)

Mr. Barron, Chairman of the Committee of the Whole House, reported to the House that the Committee desired to rise and report that the Committee has adopted the following motion:

Whereas, S. H. Terrell, State Comptroller, has filed with the Governor of Texas his resignation from the office of State Comptroller of Public Accounts, effective immediately, and the Committee of the Whole have been so advised; and

Whereas, By virtue of said resignation one of the objects of this investigation has been accomplished, namely, the removal of Mr. Terrell from office; and

Whereas, By virtue of said fact a legal question arises as to whether or not the Legislature of Texas continues to have jurisdiction of this matter; and

Whereas, In the opinion of your attorneys, the facts have been brought to the attention of the people of Texas, and the record has been made, and a final action by the Legislature on this matter could not accomplish anything additional except the entering of a judgment disqualifying S. H. Terrell from holding office in Texas hereafter; therefore, we, your attorneys, recommend to this Committee that it rise, report progress to the House with its recommendation to the House that no further action be taken in this matter by the House except to postpone further consideration thereof indefinitely.

McGILL,
PETSCH,
STEVENSON,

Attorneys for the House.

On motion of Mr. Johnson of Dimmit, the report was adopted.

EXPRESSING APPRECIATION OF THE HOUSE TO MR. MCGILL, MR. PETSCH AND MR. STEVENSON.

Mr. Johnson of Dimmit offered the following resolution:

Whereas, In the hearing on the impeachment charges against S. H. Terrell, Comptroller of the State of Texas, the House of Representatives has been represented by Representatives Alfred Petsch, Joseph McGill and Coke Stevenson; and

Whereas, Their services have been ably and efficiently performed, reflecting credit upon this House and upon themselves, and saving the State all counsel expense; now therefore, be it

Resolved by the House of Representatives, That we express our most sincere appreciation for their energetic, impartial and able services performed.

Signed—Barron, West, Albritton, Graves of Williamson, Turner, Williams of Travis, Coltrin, Lemens, Tillotson, Jones, Rogers, DeWolfe, Mosely, Lee, Kennedy, Johnson of Smith, Johnson of Scurry, Van Zandt, Cox of Limestone, Bounds, Shelton, Johnson of Dimmit, Graves of Erath, Savage, Snelgrove, Holder, Giles, Sanders, Renfro, Loy, Veatch, Davis, Metcalfe.

The resolution was read second time.

On motion of Mr. Holder, permission was given all members who desired to sign the resolution.

The resolution was then adopted.

RECESS.

On motion of Mr. Hardy, the House, at 12 o'clock m., took recess to 2 o'clock p. m. today.

AFTERNOON SESSION.

The House met at 2 o'clock p. m., and was called to order by the Speaker.

RELATIVE TO PURCHASE OF DOUBLE MICROPHONE FOR THE HOUSE.

Mr. Patterson offered the following resolution:

Whereas, A simple resolution, heretofore passed, authorized the purchase from the contingent fund of the House to cover cost of a double microphone; and

Whereas, Investigation reveals that certain equipment is necessary for the operation of a double microphone, the approximate cost of which is \$645.00 f. o. b. factory, and inasmuch as the present single microphones are not as effective as they should be, and it would be to the best interests of all the members for a complete unit to be installed at the Clerk's desk; therefore, be it

Resolved by the House of Representatives, That the Board of Control be, and is hereby, authorized to purchase such

equipment and install same at a cost not to exceed \$800.00, same to be paid out of the contingent fund of the House.

Signed—Patterson, Waddell, Heaton, Carpenter, Barron, Johnson of Scurry, Enderby, Justiss, Adkins, Riley, Shelton, Turner, Hefley, Young, Shaver, Sanders, Finlay, Bateman, Giles, Webb, Harding, Bounds, Ray, Magee, Lemens, Beck, Johnson of Dallam, Metcalfe, Allred, Acker, Storey, Olsen, Stevenson, Simmons, Van Zandt, Tillotson, Mankin, Petsch, Jones, Farrar, Pool, Pavlica, Barnett, Lee, Sinks, Williams of Sabine, Palmer, Maynard, Woodruff, Hardy, Finn, Reader, Kemble, Morse, Bradley, Nicholson, Mehl, McCombs, McDonald, Kenyon, Harman, Baldwin, Hogg, Long of Houston, Williams of Travis, Rogers, Mauritz, Johnson of Dimmit, Moore, Kinnear, Keller, Dunlap, Graves of Williamson, Cox of Limestone, Richardson, Marks, West, Albritton, Johnson of Smith, Jenkins, Terrell.

The resolution was read second time, and was adopted.

HOUSE BILLS ON FIRST READING.

The following House bills, introduced today, were laid before the House, read severally first time and referred to the appropriate committees, as follows:

By Mr. Graves of Williamson, Mr. Stevenson and Mr. Sinks:

H. B. No. 23, A bill to be entitled "An Act to amend Chapter 81 of the General Laws of the State of Texas, passed by the Fourth Called Session of the Thirty-fifth Legislature, approved April 3, 1918, creating the Commission of Appeals of the State, as amended by Chapter 34 of the General Laws of the State of Texas, passed by the Second Called Session of the Thirty-sixth Legislature, approved July 25, 1919, as amended by Chapter 119 of the General Laws of the State of Texas, passed by the Regular Session of the Thirty-seventh Legislature, approved March 31, 1921, as amended by Chapter 154 of the General Laws of the State of Texas, passed at the Regular Session of the Thirty-eighth Legislature, approved March 30, 1923, as amended by Chapter 53 of the General Laws of the State of Texas, passed by the Regular Session of the Thirty-ninth Legislature, approved March 9, 1925, providing for the creation of a Commission to aid the Supreme Court of Texas, and declaring an emergency."

Referred to Committee on Judiciary.

By Mr. Keller, Mr. McCombs and Mr. Purl:

H. B. No. 24, A bill to be entitled "An Act amending Article 279 of Chapter 4, of the Code of Criminal Procedure of the 1925 Revised Statutes of the State of Texas, so as to better explain and define the qualifications of sureties on criminal bonds, providing things incidental to, and declaring an emergency."

Referred to Committee on Judiciary.

By Mr. Williams of Travis:

H. B. No. 25, A bill to be entitled "An Act to provide a period of time when continuity of failure to exercise dominion over land, or claim or render same for taxes, shall prima facie prove title to persons exercising dominion over, claiming and/or paying taxes on such land, and declaring an emergency."

Referred to Committee on Judiciary.

By Mr. Richardson:

H. B. No. 26, A bill to be entitled "An Act providing that the county assessors shall be diligent in discovering properties subject to taxation and not theretofore rendered by the parties required to list the same, and provided that such assessors and their official bondsmen shall be liable for negligence in failing to discover and assess property for taxation; and further providing that such assessors and their official bondsmen shall be liable for taxes where such assessor conspires with any party for the purpose of evading the payment of any taxes."

Referred to Committee on Judiciary.

By Mr. Richardson:

H. B. No. 27, A bill to be entitled "An Act amending Article 7161 of the Revised Civil Statutes of the State of Texas, and providing that each person in rendering his property for taxation shall render the same under oath, and further providing an offense for making false affidavit in connection therewith by a fine of not less than one hundred dollars (\$100.00) and not more than five hundred dollars (\$500.00), or by confinement in the county jail for not more than six months, or by both such fine and imprisonment."

Referred to Committee on Judiciary.

By Mr. Richardson:

H. B. No. 28, A bill to be entitled "An Act providing that the county tax assessors shall be more diligent in dis-

covering the properties subject to taxation heretofore not rendered by the parties required to list the same, and providing that such assessors and their official bondsmen shall be liable for negligence in discovering and assessing property for taxation; and further providing that tax assessors and their bondsmen shall be liable for taxes where such assessors conspire with any property owner for the purpose of evading the payment of any taxes; providing for the levying, assessing and collecting of a tax on notes and other securities held against citizens of Texas by non-resident persons, firms, corporations and manufacturing establishments doing business in Texas whose manufacturing establishments are not located in Texas."

Referred to Committee on Judiciary.

By Mr. Pool, Mr. McGill and Mr. Harrison:

H. B. No. 29, A bill to be entitled "An Act authorizing the sale of certain lands owned by the State of Texas located near El Paso and known as the abandoned site of the State School of Mines and Metallurgy; providing regulations in reference thereto, and declaring an emergency."

Referred to the Committee on Public Lands and Buildings.

By Mr. Kemble, Mr. Morse, Mr. Keller and Mr. Patterson:

H. B. No. 30, A bill to be entitled "An Act to amend Article 5139 of Title 82 of the Revised Civil Statutes of Texas of 1925, relating to juvenile boards in certain counties and salaries of district and criminal district judges in such counties."

Referred to Committee on Judiciary.

By Mr. Johnson of Dallam and Mr. Young:

H. B. No. 31, A bill to be entitled "An Act to create the 113th Judicial District of Texas and to give court concurrent jurisdiction with the district court of Gray county, Texas, in and for the Thirty-first Judicial District of Texas, and concurrent jurisdiction with the district court of Hutchinson and Carson counties, in and for the Eighty-fourth Judicial District of Texas, in all civil and criminal cases; to provide a clerk for said courts and the transfer to said 113th District Court of certain cases now pending in the Thirty-first Judicial District Court in and for Gray county, Texas, and the Eighty-fourth Judicial District Court in and for Hutchinson and Carson counties, Texas;

to designate the character of cases to be filed in said court after its organization; the manner of filing and numbering suits in both of said courts, in said counties of Gray, Hutchinson and Carson, and keeping file dockets therein, and declaring an emergency."

Referred to Committee on Judicial Districts.

By Mr. Allred, Mr. Finlay, Mr. Cox of Limestone, Mr. Shaver and Mr. Petsch:

H. B. No. 32, A bill to be entitled "An Act to amend House bill No. 6, Chapter 88, page 172, Acts of the Forty-first Legislature, Second Called Session, by adding under Section 1 subsection O, defining "farm trailer"; by adding subsection P, defining "farm semi-trailer"; by adding subsection Q, defining the phrase "operated or moved temporarily upon the highways" and by including under Section 2 certain "farm trailers" and "farm semi-trailers" with other vehicles exempted from license and registration fees, and creating an emergency."

Referred to Committee on Highways and Motor Traffic.

By Mr. McGill:

H. B. No. 33, A bill to be entitled "An Act amending certain sections of Chapter 282 of the General and Special Laws of the Regular Session of the Forty-first Legislature and repealing Sections 2 and 15 of said Chapter 282 so as to better provide for the disposition of oil and gas in University lands, and declaring an emergency."

Referred to the Committee on Public Lands and Buildings.

By Mr. McGill:

H. B. No. 34, A bill to be entitled "An Act conferring upon the Board of Regents of the University of Texas authority heretofore vesting in the Board for Lease of University Lands under Sections 2 and 15 of Chapter 282 of the General and Special Laws of the Regular Session of the Forty-first Legislature and also conferring on said Board of Regents certain authority in connection with employing help needed in connection with matters covered by said Chapter 282 and under this act, and declaring an emergency."

Referred to the Committee on Public Lands and Buildings.

By Mr. Loy:

H. B. No. 35, A bill to be entitled "An Act amending Section 3 of Chapter

91, Acts of the Forty-first Legislature prescribing additional duties of the State Auditor and Efficiency Expert, and declaring an emergency."

Referred to the Committee on State Affairs.

By Mr. Giles (by request):

H. B. No. 36, A bill to be entitled "An Act to amend Chapter 2 of Title 122 of the Revised Civil Statutes of Texas (1925) and to fix and provide for the collection of an occupation tax from each individual, partnership, corporation or association conducting, operating, controlling, managing or owning within this State more than five general merchandise stores, drug stores, grocery stores, sporting goods stores, or a combination of any such stores, or which operate under the same style or name, using the same trade name, copyrighted name or system, whether by ownership or on royalty, franchise or other contractual basis."

Referred to the Committee on Revenue and Taxation.

TO AUTHORIZE THE ESTABLISHMENT OF CONCESSION IN LAND OFFICE.

Mr. Loy offered the following resolution:

H. C. R. No. 1, Relative to establishing concession in Land Office.

Be it resolved by the House of Representatives of the Forty-first Legislature of the State of Texas, the Senate concurring, That the Superintendent of Public Buildings and Grounds (or the Board of Control) be, and is hereby, authorized to erect, maintain and operate a confectionery and cigar stand in the lobby on the ground floor of the State Land Office Building, located in Austin, Texas.

Signed—Loy, Rountree, Metcalfe, Forbes, Stevenson, King, Johnson, Harrison, Bond, Veatch, Avis, Lee, O'Neill, Murphy, Keller, Van Zandt, Finn, Long of Wichita, Olsen, Terrell.

The resolution was read second time.

Mr. Reader offered the following amendment to the resolution:

Amend House concurrent resolution No. 1 so as to read:

Be it resolved, That the concession for cold drink stand in the State Land Office building shall be let only by the Board of Control, after same has been advertised and shall be let to the highest bidder on a monthly rental basis.

Mr. Loy moved to table the amendment, and the motion to table was lost.

Question then recurring on the amendment, it was adopted.

Mr. Purl offered the following substitute for the resolution:

Whereas, Our State Capitol building, built at an enormous cost, through the heroic efforts of patriotic representatives of the people; and

Whereas, This imposing structure, being the seventh largest building in the world, occupies a place, not only in the heart of every loyal Texan, but every year thousands of citizens from without this State as well as within it journey many miles to visit it and view the pictures of many Texas heroes housed within its walls; and

Whereas, Nothing should be done to commercialize or cheapen its appearance; and

Whereas, The members of the House of Representatives and the State Senate of Texas, anxious as they are to keep and protect this edifice from commercialism, realize that it might be a convenience to public officials and State employees to have available in the basement of the State Capitol a modern, sanitary soda fountain, or cafeteria or cigar and cigarette stand similar to that in State capitols in other States; and

Whereas, It is the sense of the members of the House and Senate of the State of Texas that no serious harm could come from an establishment of this kind being housed in the basement of this building; and

Whereas, Lack of information on this subject might cause this Honorable Body to permit an establishment to operate that would seriously jeopardize the health as well as cause a disastrous fire and provide a menace from rats and other rodents; therefore, be it

Resolved by the House of Representatives, the Senate concurring, That the Speaker of the House, the Lieutenant Governor, the Governor, the chairman of the Board of Control and the State Health Officer be, and are hereby, authorized and requested to act for both the House and Senate in making a survey of all State buildings with a view to determining whether or not it is practical, expedient or necessary for the State to authorize a food or drink establishment of any kind to be housed within the walls of this State Capitol Building, together with their recommendations as to restrictions for lease, minimum rental charges for space and such other information as in their wisdom might assist this honorable body in determining whether or not the State should attempt any policy along these

lines; that the above named committee, appointed to act for the House and Senate, be requested to make their recommendations before this Special Session comes to a close; and, furthermore, pending the receipt of their recommendations, that no privilege be granted to any person, firm or corporation, the effect of which would permit the sale of any food, candy, drinks, tobacco or other merchandise of any character.

Signed—Purl, Tillotson, Petsch, Negley, Hogg, Speck, McCombs, Thompson, Pope of Nueces.

(Pending consideration of the resolution, Mr. Patterson occupied the chair temporarily.)

Mr. Loy then moved to table the substitute resolution.

Yeas and nays were demanded, and the motion to table was lost by the following vote:

Yeas—39.

Adkins.	Kenyon.
Bateman.	King.
Bond.	Lee.
Bounds.	Loy.
Bradley.	Magee.
Brice.	Marks.
Carpenter.	McDonald.
Cox of Lamar.	McGill.
Enderby.	Metcalfe.
Eickenroht.	Palmer.
Farrar.	Pavlica.
Forbes.	Reader.
Giles.	Rogers.
Graves of Erath.	Snelgrove.
Harman.	Stevenson.
Harper.	Storey.
Hopkins.	Turner.
Jenkins.	Van Zandt.
Johnson of Smith.	Young.
Jones.	

Nays—61.

Ackerman.	Harding.
Albritton.	Hefley.
Allred.	Hines.
Anderson.	Holder.
Baker.	Johnson
Baldwin.	of Dimmit.
Barnett.	Johnson of Scurry.
Beck.	Justiss.
Brooks.	Kayton.
Coltrin.	Keeton.
Conway.	Keller.
Cox of Limestone.	Kennedy.
Davis.	Kinnear.
DeWolfe.	Lemens.
Ewing.	Mankin.
Finlay.	Mauritz.
Graves	McCombs.
of Williamson.	Moore.
Hardy.	Morse.

Mullally.	Savage.
Negley.	Shaver.
Nicholson.	Shelton.
Olsen.	Simmons.
Patterson.	Stephens.
Petsch.	Tarwater.
Pool.	Veatch.
Prendergast.	Waddell.
Purl.	Webb.
Renfro.	West.
Richardson.	Williams
Riley.	of Sabine.
Sanders.	Woodruff.

Present—Not Voting.

Wiggs.	Williams
	of Travis.

Absent.

Mr. Speaker.	Martin.
Acker.	Maynard.
Chastain.	Mehl.
Dunlap.	Mosely.
Finn.	O'Neill.
Gates.	Pope of Jones.
Gilbert.	Pope of Nueces.
Harrison.	Quinn.
Heaton.	Ray.
Hogg.	Reid.
Hornaday.	Sinks.
Johnson	Terrell.
of Dallam.	Thompson.
Kemble.	Tillotson.
Land.	Warwick.
Long of Houston.	Williams
Long of Wichita.	of Hardin.

Absent—Excused.

Avis.	Murphy.
Duvall.	Rountree.
Fuchs.	Sherrill.
Hubbard.	Speck.
Kincaid.	Strong.
McKean.	Wallace.
Minor.	Walters.
Montgomery.	Westbrook.

Question then recurring on the substitute resolution, it was adopted.

Mr. Sinks moved that further consideration of the resolution be postponed indefinitely.

Yeas and nays were demanded, and the motion prevailed by the following vote:

Yeas—66.

Acker.	Bounds.
Ackerman.	Cox of Limestone.
Adkins.	Dunlap.
Albritton.	Enderby.
Anderson.	Eickenroht.
Baker.	Farrar.
Baldwin.	Forbes.
Bateman.	Graves of Erath.

Hardy.	McCombs.
Harman.	McGill.
Harper.	Moore.
Hefley.	Mullally.
Hines.	Nicholson.
Hogg.	Palmer.
Hopkins.	Pavlica.
Johnson	Pool.
of Dallam.	Ray.
Johnson of Smith.	Reader.
Johnson of Scurry.	Renfro.
Jones.	Riley.
Justiss.	Rogers.
Kayton.	Sanders.
Keeton.	Savage.
Keller.	Shelton.
Kemble.	Sinks.
Kenyon.	Snelgrove.
Kinnear.	Storey.
Lee.	Veatch.
Lemens.	Wallace.
Loy.	Webb.
Magee.	West.
Mankin.	Wiggs.
Marks.	Williams
Mauritz.	of Travis.

Nays—34.

Allred.	Kennedy.
Barnett.	King.
Beck.	Morse.
Bradley.	Negley.
Brooks.	Olsen.
Carpenter.	Petsch.
Coltrin.	Prendergast.
Conway.	Purl.
Cox of Lamar.	Richardson.
DeWolfe.	Shaver.
Finlay.	Simmons.
Giles.	Tarwater.
Graves	Turner.
of Williamson.	Van Zandt.
Harding.	Waddell.
Holder.	Williams
Jenkins.	of Sabine.
Johnson	Young.
of Dimmit.	

Present—Not Voting.

Brice.	Stephens.
Harrison.	

Absent.

Mr. Speaker.	Martin.
Bond.	Maynard.
Chastain.	McDonald.
Davis.	Mehl.
Finn.	Metcalfe.
Gates.	Mosely.
Gilbert.	O'Neill.
Heaton.	Patterson.
Hornaday.	Pope of Jones.
Land.	Pope of Nueces.
Long of Houston.	Quinn.
Long of Wichita.	Reid.

Stevenson.
Terrell.
Thompson.
Tillotson.

Warwick.
Williams
of Hardin.
Woodruff.

Absent—Excused.

Avis. Montgomery.
Duvall. Murphy.
Ewing. Rountree.
Fuchs. Sherrill.
Hubbard. Speck.
Kincaid. Strong.
McKean. Walters.
Minor. Westbrook.

RELATIVE TO ESTABLISHMENT OF
CENTRAL TELEPHONE OFFICE
IN CAPITOL.

Mr. Young offered the following resolution:

Whereas, The departments of government at Austin have many individual telephone connections to serve the agencies of government; and

Whereas, The cost of maintaining these amounts to a great sum each year; therefore, be it

Resolved by the House of Representatives, That the Board of Control be requested to investigate whether all departments of government are now properly equipped with telephone units to adequately serve their needs; and

That said Board be requested to investigate the advisability of installing a central telephone office in the State Capitol to serve all telephone units maintained by the State in its governmental department to the end that a saving in telephone cost will result to the State, and approximately what it would cost to install and maintain a central telephone office, and how much, if any, saving will accrue to the State by such installation, together with such other information on this subject that they think beneficial to the Legislature; and further,

That said Board be requested to make its investigation and report the finding of same to the House of Representatives at its Regular Session, January, 1931.

The resolution was read second time, and was adopted.

SPECIAL ORDER SET.

Mr. Beck moved that House bill No. 10 be set as a special order for 10 o'clock a. m. next Thursday, February 26.

The motion prevailed by the following vote:

Yeas—92.

Mr. Speaker.	Kennedy.
Acker.	King.
Ackerman.	Lee.
Adkins.	Lemens.
Albritton.	Loy.
Allred.	Magee.
Anderson.	Mankin.
Baker.	Marks.
Bateman.	Mauritz.
Beck.	McCombs.
Bond.	McGill.
Bounds.	Moore.
Bradley.	Morse.
Brice.	Mosely.
Brooks.	Mullally.
Carpenter.	Negley.
Conway.	Nicholson.
Cox of Limestone.	Olsen.
Davis.	Palmer.
DeWolfe.	Patterson.
Dunlap.	Pavlica.
Enderby.	Petsch.
Eickenroht.	Pool.
Finlay.	Prendergast.
Forbes.	Purl.
Giles.	Ray.
Graves	Reader.
of Williamson.	Renfro.
Graves of Erath.	Richardson.
Hardy.	Rogers.
Harman.	Savage.
Harper.	Shaver.
Harrison.	Simmons.
Heaton.	Sinks.
Hefley.	Stephens.
Hines.	Storey.
Hogg.	Tillotson.
Hopkins.	Van Zandt.
Jenkins.	Veatch.
Johnson	Waddell.
of Dallam.	Wallace.
Johnson	Webb.
of Dimmit.	West.
Johnson of Smith.	Wiggs.
Johnson of Scurry.	Williams
Justiss.	of Sabine.
Keeton.	Young.
Kemble.	

Nays—14.

Cox of Lamar.	Kenyon.
Farrar.	Kinnear.
Finn.	Riley.
Holder.	Tarwater.
Jones.	Turner.
Kayton.	Williams
Keller.	of Travis.
Snelgrove.	

Absent.

Baldwin.	Gilbert.
Barnett.	Harding.
Chastain.	Hornaday.
Coltrin.	Land.
Gates.	Long of Houston.

Long of Wichita.	Reid.
Martin.	Sanders.
Maynard.	Shelton.
McDonald.	Stevenson.
Mehl.	Terrell.
Metcalfe.	Thompson.
O'Neill.	Warwick.
Pope of Jones.	Williams
Pope of Nueces.	of Hardin.
Quinn.	Woodruff.

Absent—Excused.

Avis.	Montgomery.
Duvall.	Murphy.
Ewing.	Rountree.
Fuchs.	Sherrill.
Hubbard.	Speck.
Kincaid.	Strong.
McKean.	Walters.
Minor.	Westbrook.

RELATIVE TO PROPOSED LAW IN REGARD TO PENSION FUND.

Mr. Purl offered the following resolution:

Whereas, Senate bill No. 3, passed by the Senate in the Fourth Called Session of the Forty-first Legislature, failed to pass in the House, because it was held to be unconstitutional, on a point of order; and

Whereas, Said bill provided for the payment of pensions to Confederate veterans and their widows, and contained the following provision, to-wit:

"If the pension fund is insufficient to pay fifty dollars (\$50.00) per month and twenty-five dollars (\$25.00) per month, respectively, to each pensioner in the respective classes hereinbefore mentioned, a sufficient amount shall be advanced by the State Treasurer out of the general revenue fund in the State Treasury for that purpose and placed in the pension fund, and the amount so advanced shall be repaid out of the pension fund to the general revenue fund when there shall be a surplus in the pension fund over and above enough to pay said fifty dollars and twenty-five dollars per month to said classes of pensioners. There is hereby appropriated out of the general revenue fund the sum of \$500,000 for the purpose of said advancement"; now, therefore, be it

Resolved, That the Attorney General of Texas be, and he is hereby, requested to advise the House, at his earliest convenience, whether or not, in his opinion, it would be within the power of the Legislature to enact the provision above quoted and whether such an enactment would be valid under the Constitution of this State.

Signed—Purl, Speck, McCombs.

The resolution was read second time, and was adopted.

TO FURNISH QUESTIONNAIRE FOR MEMBERS.

Mr. Harper offered the following resolution:

Whereas, It is one of the most sacred tenets of the Democratic faith that man cannot serve two masters at one and the same time; and

Whereas, The House of Representatives of the State of Texas is numerically large because our forefathers believed and so provided that our people would be best governed by keeping at least one branch of our lawmaking body close to the people; and

Whereas, It is commonly believed and talked throughout our State that many members of the House of Representatives are representing special interests or representing interests that are antagonistic to and conflicting with the interests of the mass of the people by whom the members of the House of Representatives are elected; and

Whereas, If such common talk, which is in itself an indictment, is not true, the members of the House of Representatives are unjustly, unwisely and untruthfully arraigned before the bar of public opinion and to remain silent and offer no defense nor denial is an implied admission that the charges are true, when in fact they are not; and

Whereas, If such charges are true, the people to whom the members of the House of Representatives are accountable should be apprised of the fact in order that they may choose to represent the persons who will not be hampered and handicapped in their service to the people by reason of their connection with a special interest, corporation or organization antagonistic to the welfare of the mass of the people; now, therefore, be it

Resolved by the House of Representatives, That the Speaker appoint a committee to be composed of five members of the House of Representatives, who shall be authorized and empowered to draft a form of questionnaire which shall be in such form as will show, when answered, the trade, occupation or profession of the member preparing it, and the names of any organization, corporation or association from whom the member has accepted, directly or indirectly, any salary or retainer for their services on a monthly, yearly or contingent basis, any part of which has been received or accepted since such member took the oath of office; and be it further

Resolved, That the committee be empowered to compel the attendance of any member whom they desire to question before the committee, but of whom they shall ask only such questions as will elicit the information called for by the questionnaire herein provided for; be it further

Resolved, That answers to the questions propounded by the committee through its questionnaire shall be made under oath.

Signed—Harper, Bond, Ray, Mauritz.

The resolution was read second time.

Mr. DeWolfe moved that the resolution be referred to the Committee on State Affairs.

(Pending consideration of the resolution, Mr. McGill occupied the chair temporarily.)

Mr. Morse moved the previous question on the motion by Mr. DeWolfe and the resolution, and the main question was ordered.

(Mr. Sinks in the chair.)

Question recurring on the motion by Mr. DeWolfe to refer the resolution to the Committee on State Affairs, yeas and nays were demanded.

The motion was lost by the following vote:

Yeas—26.

Baldwin.	Kinnear.
Conway.	Mankin.
DeWolfe.	McCombs.
Forbes.	Metcalfe.
Gilbert.	Negley.
Harman.	Olsen.
Harrison.	Savage.
Hefley.	Sinks.
Holder.	Tarwater.
Hopkins.	Veatch.
Jenkins.	Williams
Johnson of Smith.	of Sabine.
Johnson of Scurry.	Woodruff.
Justiss.	

Nays—83.

Ackerman.	Davis.
Adkins.	Dunlap.
Albritton.	Enderby.
Allred.	Eickenroht.
Anderson.	Farrar.
Baker.	Finn.
Barnett.	Finlay.
Beck.	Giles.
Bond.	Graves
Bounds.	of Williamson.
Brice.	Graves of Erath.
Brooks.	Hardy.
Carpenter.	Harding.
Chastain.	Harper.
Coltrin.	Heaton.
Cox of Lamar.	Hines.
Cox of Limestone.	Hogg.

Johnson	Pool.
of Dimmit.	Pope of Nueces.
Jones.	Prendergast.
Kayton.	Purl.
Keeton.	Ray.
Keller.	Reader.
Kennedy.	Renfro.
Kenyon.	Richardson.
King.	Riley.
Lee.	Rogers.
Lemens.	Shaver.
Long of Wichita.	Shelton.
Loy.	Simmons.
Magee.	Snelgrove.
Marks.	Stephens.
Mauritz.	Stevenson.
McDonald.	Storey.
McGill.	Turner.
Moore.	Van Zandt.
Morse.	Waddell.
Mosely.	Wallace.
Mullally.	Webb.
Nicholson.	West.
Palmer.	Wiggs.
Pavlica.	Young.
Petsch.	

Present—Not Voting.

Williams
of Travis.

Absent.

Mr. Speaker.	Mehl.
Acker.	O'Neill.
Bateman.	Patterson.
Bradley.	Pope of Jones.
Gates.	Quinn.
Hornaday.	Reid.
Johnson	Sanders.
of Dallam.	Terrell.
Kemble.	Thompson.
Land.	Tillotson.
Long of Houston.	Warwick.
Martin.	Williams
Maynard.	of Hardin.

Absent—Excused.

Avis.	Montgomery.
Duvall.	Murphy.
Ewing.	Rountree.
Fuchs.	Sherrill.
Hubbard.	Speck.
Kincaid.	Strong.
McKean.	Walters.
Minor.	Westbrook.

(Speaker in the chair.)

Question then recurring on the resolution, yeas and nays were demanded.

The resolution was adopted by the following vote:

Yeas—101.

Mr. Speaker.	Albritton.
Ackerman.	Allred.
Adkins.	Anderson.

Baker.	Magee.
Barnett.	Mankin.
Bateman.	Marks.
Bond.	Mauritz.
Bounds.	McDonald.
Brice.	McGill.
Carpenter.	Metcalf.
Chastain.	Moore.
Coltrin.	Mosely.
Conway.	Mullally.
Cox of Lamar.	Negley.
Cox of Limestone.	Nicholson.
Davis.	Olsen.
Dunlap.	Palmer.
Enderby.	Pavlica.
Eickenroht.	Petsch.
Farrar.	Pool.
Finn.	Pope of Nueces.
Finlay.	Prendergast.
Forbes.	Purl.
Gilbert.	Ray.
Giles.	Reader.
Graves	Renfro.
of Williamson.	Richardson.
Graves of Erath.	Riley.
Harman.	Rogers.
Harper.	Sanders.
Harrison.	Savage.
Heaton.	Shaver.
Hefley.	Shelton.
Hines.	Simmons.
Holder.	Snelgrove.
Hopkins.	Stephens.
Johnson	Stevenson.
of Dimmit.	Storey.
Johnson of Smith?	Tarwater.
Jones.	Turner.
Justiss.	Van Zandt.
Kayton.	Veatch.
Keeton.	Waddell.
Keller.	Wallace.
Kennedy.	Webb.
Kenyon.	West.
King.	Wiggs.
Lee.	Williams
Lemens.	of Sabine.
Long of Wichita.	Woodruff.
Loy.	Young.

Nays—13.

Baldwin.	Jenkins.
Beck.	Johnson of Scurry.
Brooks.	Kinnear.
DeWolfe.	McCombs.
Hardy.	Morse.
Harding.	Sinks.
Hogg.	

Present—Not Voting.

Patterson.	Williams
	of Travis.

Absent.

Acker.	Hornaday.
Bradley.	Johnson
Gates.	of Dallam.

Kemble.	Quinn.
Land.	Reid.
Long of Houston.	Terrell.
Martin.	Thompson.
Maynard.	Tillotson.
Mehl.	Warwick.
O'Neill.	Williams
Pope of Jones.	of Hardin.

Absent—Excused.

Avis.	Montgomery.
Duvall.	Murphy.
Ewing.	Rountree.
Fuchs.	Sherrill.
Hubbard.	Speck.
Kincaid.	Strong.
McKean.	Walters.
Minor.	Westbrook.

RELATIVE TO GRANTING LEAVES
OF ABSENCE TO MEMBERS.

Mr. Kennedy offered the following resolution:

Whereas, It is the duty of each member of this House to attend the daily sessions of this House unless prohibited by sickness; therefore, be it

Resolved by the House of Representatives, That it is the sense of this House that no member be excused for more than three days for any other cause except sickness.

The resolution was read second time and was referred by the Speaker to the Committee on Rules.

HOUSE BILL NO. 2 ON SECOND
READING.

Mr. Sanders moved that the House rule which requires printed bills to be laid on members' desks a certain period of time before the bill is considered by the House be suspended at this time.

The motion prevailed by the following vote:

Yeas—86.

Mr. Speaker.	Finn.
Adkins.	Finlay.
Allred.	Forbes.
Baker.	Gilbert.
Barnett.	Giles.
Bateman.	Graves
Beck.	of Williamson.
Brice.	Graves of Erath.
Brooks.	Harman.
Chastain.	Harper.
Coltrin.	Heaton.
Conway.	Hines.
Davis.	Hogg.
DeWolfe.	Holder.
Dunlap.	Johnson
Enderby.	of Dimmit.
Eickenroht.	Johnson of Smith.

Johnson of Scurry.	Reader.
Justiss.	Renfro.
Keeton.	Richardson.
Keller.	Riley.
Kennedy.	Sanders.
King.	Savage.
Kinnear.	Shaver.
Lee.	Shelton.
Lemens.	Simmons.
Loy.	Sinks.
Magee.	Snelgrove.
Mankin.	Stephens.
Marks.	Stevenson.
McCombs.	Storey.
McDonald.	Tarwater.
McGill.	Van Zandt.
Metcalfe.	Veatch.
Mosely.	Waddell.
Mullally.	Wallace.
Negley.	West.
Olsen.	Wiggs.
Palmer.	Williams
Pavlica.	of Sabine.
Petsch.	Williams
Pool.	of Travis.
Purl.	Woodruff.
Ray.	Young.

Nays—20.

Ackerman.	Jenkins.
Albritton.	Jones.
Anderson.	Kayton.
Bond.	Kenyon.
Carpenter.	Long of Wichita.
Cox of Lamar.	Moore.
Cox of Limestone.	Morse.
Hardy.	Patterson.
Harrison.	Pope of Nueces.
Hefley.	Webb.

Absent.

Acker.	Maynard.
Baldwin.	Mehl.
Bounds.	Nicholson.
Bradley.	O'Neill.
Farrar.	Pope of Jones.
Gates.	Prendergast.
Harding.	Quinn.
Hopkins.	Reid.
Hornaday.	Rogers.
Johnson	Terrell.
of Dallam.	Thompson.
Kemble.	Tillotson.
Land.	Turner.
Long of Houston.	Warwick.
Martin.	Williams
Mauritz.	of Hardin.

Absent—Excused.

Avis.	McKean.
Duvall.	Minor.
Ewing.	Montgomery.
Fuchs.	Murphy.
Hubbard.	Rountree.
Kincaid.	Sherrill.

Speck.
Strong.

Walters.
Westbrook.

The Speaker then laid before the House, on its second reading and passage to engrossment,

H. B. No. 2, A bill to be entitled "An Act amending Article 7066, Revised Civil Statutes, relating to occupation taxes on the production of sulphur, which amendment provided for an occupation tax of one dollar per long ton of all sulphur produced within the State of Texas; providing for reports and records; imposing forfeitures and penalties for failure to keep records; providing penalties for failure to pay tax; directing the bringing of suit for the recovery of taxes, penalty and interest, and declaring an emergency."

The bill was read second time.

Mr. Sanders offered the following (committee) amendment to the bill:

(1)

Amend House bill No. 2 by striking out all below the enacting clause, and insert in lieu thereof the following:

Section 1. Each person who owns, controls, manages, leases or operates any sulphur mine, or mines, wells or shafts, or who produces sulphur by any method, system or manner within this State, shall make quarterly on the first day of January, April, July and October of each year a report to the Comptroller sworn to by such person before an officer authorized to administer oaths in this State, or if such person be other than an individual so sworn to by its president, secretary or other duly authorized officer, on such forms as the Comptroller shall prescribe showing the total amount of sulphur produced within this State by said person during the quarter next preceding; and at the time of making said report shall pay to the Treasurer of this State as occupation tax for the quarter beginning on said date an amount equal to one dollar per long ton, or fraction thereof, of all sulphur produced by said person within the State of Texas during said quarter.

Each person subject to the payment of this tax shall cause to be made, kept and preserved a full and complete record of all sulphur produced in this State by it, all of which record shall be open at all times to official inspection and examination by the Comptroller or the Attorney General, or any employe of or representative of the Comptroller or the Attorney General. Said records may be destroyed after three years from the last entry appearing in any such record. Any person failing to keep such record,

or records, as herein required, shall forfeit to the State of Texas as a penalty any sum not less than five hundred dollars nor more than five thousand dollars payable to the State of Texas, and each ten days of failure to keep such records shall constitute a separate offense and subject the offender to additional penalties for each such period of failure to keep such records. Any person subject to the payment of said tax on sulphur failing to pay the tax levied in this article within thirty days after same is due and payable shall pay to the State as a penalty an additional amount equal to ten per cent of the taxes due, and such tax and penalty shall draw interest at the rate of six per cent per annum from the due date until paid. The Attorney General or any district or county attorney at the direction of the Attorney General shall bring suit in behalf of the State to recover the amount of taxes, penalties and interest past due and payable by any person affected by this law. The word "person" as used in this law shall include persons, firms, partnerships, companies, corporations, associations, common law trusts or other concern by whatever name or howsoever organized, formed or created.

The Comptroller may require such other information and such additional reports as he may deem advisable.

Sec. 2. The one-fourth ($\frac{1}{4}$) of the occupation tax hereby imposed and collected constitutionally allocated to the available public free school fund shall be set aside to such purposes, with the remaining three-fourths ($\frac{3}{4}$) of the said revenues to accrue to the credit of the general revenue fund of the State, until July 1, 1931, after which date the said three-fourths ($\frac{3}{4}$) of the revenues derived from such tax shall be set aside to the available school fund to be used for public free school purposes in this payment of the per capita of all the children within the scholastic age. It being expressly provided that the State Tax Board shall take into consideration in their determination of the rate to be collected for public free school purposes as provided in Article 7043, Revised Civil Statutes, the amount of money paid into said available school fund under the provisions of this act in the following manner, that said Tax Board shall determine the rate which will be sufficient to yield and produce for the fiscal year under consideration, the necessary per capita for all the children within the scholastic age as shown by the most recent official scholastic census, as provided in said Article 7043, Revised Statutes, and deduct from such rate as

determined, such a percentage and rate as would be necessary to produce a sum of money equal to the amount paid into the Treasury under the provisions of this act during the first half of the current calendar year and the latter half of the preceding calendar year, and the rate and percentage so found shall constitute the ad valorem rate to be levied and collected for public free school purposes.

Sec. 3. That the first report shall be made under this act and the first tax due and payable on July 1, 1930, and any person producing sulphur prior to that date shall make the report and pay the tax required by this act.

Sec. 4. That all laws and parts of laws in conflict with this act, and particularly Article 7066, Revised Civil Statutes, are hereby expressly repealed.

Sec. 5. The provisions of this act are severable and if any of the provisions hereof shall be held void the decision of the court shall not affect or impair any of the remaining provisions, and it is hereby declared as the legislative intent that the provisions, sentences and phrases not declared to be illegal or void, would have been enacted and adopted without the inclusion of the provisions, sentences and phrases declared void and invalid.

Sec. 6. The fact that the present tax upon the production of sulphur is totally insufficient and inadequate; that appropriations for educational purposes to be made by this Legislature require that additional revenue be raised by equitable taxation, and the rapid approach of the end of the session, creates an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three several days in each house be suspended, and said rule is hereby suspended, and that this act shall take effect and be in force from and after its passage, and it is so enacted.

Mr. Sanders offered the following amendments to the (committee) amendment:

(1)

Amend House bill No. 2, after the word "quarter," line 34, page 3, as follows:

"Should any person subject to the occupation tax herein levied begin business after the beginning of a quarter, the amount of tax which such person or concern shall pay for the first quarter immediately succeeding the quarter in which the business was begun shall be ascertained by taking the total number of tons produced within the last

quarter, dividing the same by the number of days such person or concern was engaged in the business during said preceding quarter and multiplying the quotient by ninety, and multiplying the product by \$1.00."

(2)

Amend House bill No. 2 after the word "act," line 15, page 5, as follows:

"That nothing in this act shall prevent the collection and payment of taxes due on April 1, 1930, and such taxes shall be collected and paid as and at the rate now provided by Article 7066, Revised Civil Statutes."

The amendments were severally adopted.

Mr. Farrar offered the following amendment to the amendment:

Amend committee amendment No. 1 by changing the word "form," line 4, page 5, to the word "from."

The amendment was adopted.

Mr. Harman offered the following amendment to the amendment:

Amend committee amendment No. 1 of House bill No. 2 by striking out "one dollar" wherever it occurs and insert in lieu thereof "fifty cents."

Signed—Harman, Morse.

Question recurring on the amendment, yeas and nays were demanded.

The amendment was lost by the following vote:

Yeas—31.

Ackerman.	Johnson of Scurry.
Albritton.	Kayton.
Anderson.	Kennedy.
Baldwin.	Kinnear.
Beck.	Moore.
Bond.	Morse.
Bounds.	Mullally.
Carpenter.	Olsen.
Cox of Limestone.	Patterson.
Eickenroht.	Pope of Nueces.
Harman.	Prendergast.
Harrison.	Richardson.
Heaton.	Shelton.
Hefley.	Storey.
Hines.	Williams
Hopkins.	of Sabine.

Nays—73.

Mr. Speaker.	Coltrin.
Adkins.	Conway.
Allred.	Cox of Lamar.
Baker.	DeWolfe.
Barnett.	Dunlap.
Bateman.	Enderby.
Brice.	Ewing.
Brooks.	Finn.
Chastain.	Finlay.

Forbes.	McGill.
Gilbert.	Metcalf.
Giles.	Mosely.
Graves of Erath.	Negley.
Harper.	Palmer.
Hogg.	Pavlica.
Holder.	Petsch.
Jenkins.	Pool.
Johnson	Purl.
of Dallam.	Ray.
Johnson	Reader.
of Dimmit.	Renfro.
Johnson of Smith.	Riley.
Jones.	Rogers.
Justiss.	Sanders.
Keeton.	Savage.
Keller.	Shaver.
Kenyon.	Simmons.
King.	Sinks.
Lee.	Snelgrove.
Lemens.	Stephens.
Loy.	Tarwater.
Magee.	Turner.
Mankin.	Van Zandt.
Marks.	Veatch.
Martin.	West.
Mauritz.	Woodruff.
McCombs.	Young.
McDonald.	

Absent.

Acker.	O'Neill.
Bradley.	Pope of Jones.
Davis.	Quinn.
Farrar.	Reid.
Gates.	Stevenson.
Graves	Terrell.
of Williamson.	Thompson.
Hardy.	Tillotson.
Harding.	Waddell.
Hornaday.	Wallace.
Kemble.	Warwick.
Land.	Webb.
Long of Houston.	Wiggs.
Long of Wichita.	Williams
Maynard.	of Hardin.
Mehl.	Williams
Nicholson.	of Travis.

Absent—Excused.

Avis.	Murphy.
Duvall.	Rountree.
Fuchs.	Sherrill.
Hubbard.	Speck.
Kincaid.	Strong.
McKean.	Walters.
Minor.	Westbrook.
Montgomery.	

Mr. Van Zandt moved to reconsider the vote by which the amendment was lost, and to table the motion to reconsider.

The motion to table prevailed.

Mr. Petsch offered the following amendment to the amendment:

Amend committee amendment No. 1 to House bill No. 2, Section 2, as follows: Insert the following after the word "date" in line 30, to-wit, "one-third of," and insert after the word "the" in line 31, the following, to-wit, "permanent school fund, and the balance shall be set aside to the."

Question recurring on the amendment, yeas and nays were demanded.

The amendment was lost by the following vote:

Yeas—49.

Albritton.	Keller.
Allred.	Kennedy.
Anderson.	Kinnear.
Baldwin.	Lee.
Beck.	McCombs.
Bond.	McDonald.
Brooks.	Metcalfe.
Carpenter.	Negley.
Conway.	Olsen.
Cox of Lamar.	Patterson.
Cox of Limestone.	Petsch.
DeWolfe.	Pool.
Forbes.	Purl.
Graves	Renfro.
of Williamson.	Rogers.
Harman.	Shaver.
Harrison.	Simmons.
Heaton.	Sinks.
Hines.	Tarwater.
Hopkins.	Veatch.
Jenkins.	Webb.
Johnson	West.
of Dimmit.	Williams
Johnson of Scurry.	of Sabine.
Jones.	Young.
Kayton.	

Nays—57.

Mr. Speaker.	Justiss.
Ackerman.	Keeton.
Adkins.	Kenyon.
Baker.	Lemens.
Barnett.	Loy.
Bateman.	Magee.
Bounds.	Mankin.
Brice.	Marks.
Chastain.	Mauritz.
Coltrin.	McGill.
Davis.	Moore.
Dunlap.	Morse.
Enderby.	Mosely.
Eickenroht.	Mullally.
Farrar.	Palmer.
Finlay.	Pavlica.
Gilbert.	Pope of Nueces.
Giles.	Ray.
Graves of Erath.	Reader.
Hardy.	Richardson.
Harper.	Riley.
Hefley.	Sanders.
Hogg.	Savage.
Holder.	Shelton.
Johnson of Smith.	Snelgrove.

Stephens.	Van Zandt.
Storey.	Waddell.
Tillotson.	Woodruff.
Turner.	

Present—Not Voting.

Prendergast.

Absent.

Acker.	Mehl.
Bradley.	Nicholson.
Finn.	O'Neill.
Gates.	Pope of Jones.
Harding.	Quinn.
Hornaday.	Reid.
Johnson	Stevenson.
of Dallam.	Terrell.
Kemble.	Thompson.
King.	Warwick.
Land.	Wiggs.
Long of Houston.	Williams
Long of Wichita.	of Hardin.
Martin.	Williams
Maynard.	of Travis.

Absent—Excused.

Avis.	Murphy.
Duvall.	Rountree.
Ewing.	Sherrill.
Fuchs.	Speck.
Hubbard.	Strong.
Kincaid.	Wallace.
McKean.	Walters.
Minor.	Westbrook.
Montgomery.	

Mr. West offered the following amendment to the amendment:

Amend committee amendment to House bill No. 2 by substituting the word "ending" for the word "beginning," line 31, page 3.

The amendment was adopted.

Mr. Cox of Limestone offered the following amendment to the amendment:

Amend committee amendment No. 1, page 3, line 32, by striking out the words "one dollar" and inserting in lieu thereof "75 cents."

Signed—Cox of Limestone, Justiss.

Question recurring on the amendment, yeas and nays were demanded.

The motion was lost by the following vote:

Yeas—25.

Albritton.	Harman.
Beck.	Harrison.
Bond.	Heaton.
Bounds.	Hefley.
Carpenter.	Hopkins.
Cox of Limestone.	Justiss.
Eickenroht.	Kayton.
Hardy.	Kennedy.

Kinnear.	Storey.
Moore.	Tillotson.
Morse.	Waddell.
Mullally.	Williams
Sinks.	of Sabine.

Nays—77.

Mr. Speaker.	Lee.
Ackerman.	Lemens.
Adkins.	Loy.
Allred.	Mankin.
Baker.	Marks.
Baldwin.	Mauritz.
Barnett.	McCombs.
Bateman.	McDonald.
Brice.	McGill.
Brooks.	Metcalfe.
Chastain.	Mosely.
Coltrin.	Negley.
Conway.	Olsen.
Cox of Lamar.	Palmer.
Davis.	Patterson.
DeWolfe.	Pavlica.
Dunlap.	Petsch.
Enderby.	Pool.
Farrar.	Pope of Nueces.
Finlay.	Purl.
Forbes.	Reader.
Gilbert.	Renfro.
Giles.	Richardson.
Graves	Riley.
of Williamson.	Rogers.
Graves of Erath.	Sanders.
Harper.	Savage.
Hines.	Shaver.
Hogg.	Shelton.
Holder.	Simmons.
Jenkins.	Snelgrove.
Johnson	Stephens.
of Dimmit.	Tarwater.
Johnson of Smith.	Turner.
Johnson of Scurry.	Van Zandt.
Jones.	Veatch.
Keeton.	West.
Keller.	Wiggs.
Kenyon.	Young.
King.	

Present—Not Voting.

Anderson.

Absent.

Acker.	Maynard.
Bradley.	Mehl.
Finn.	Nicholson.
Gates.	O'Neill.
Harding.	Pope of Jones.
Hornaday.	Prendergast.
Johnson	Quinn.
of Dallam.	Ray.
Kemble.	Reid.
Land.	Stevenson.
Long of Houston.	Terrell.
Long of Wichita.	Thompson.
Magee.	Warwick.
Martin.	Webb.

Williams	Williams
of Hardin.	of Travis.
	Woodruff.

Absent—Excused.

Avis.	Murphy.
Duvall.	Rountree.
Ewing.	Sherrill.
Fuchs.	Speck.
Hubbard.	Strong.
Kincaid.	Wallace.
McKean.	Walters.
Minor.	Westbrook.
Montgomery.	

Mr. Pool offered the following amendment to the amendment:

Amend committee amendment No. 1, House bill No. 2, page 4, lines 31 and 32, by striking out the word "available" and inserting in lieu thereof the word "permanent."

Mr. Purl and Mr. Johnson of Dimmit offered the following substitute for the amendment by Mr. Pool:

Substitute for Pool amendment: Amend House bill No. 2, Section 2, as follows: Insert following after the word "date" in line 30, to-wit, "one half of," and insert after the word "the" in line 31 the following, to-wit, "permanent school fund, and the balance shall be set aside to the."

Mr. Morse moved the previous question on the pending amendments and the bill, and the main question was ordered.

Question first recurring on the substitute amendment by Mr. Purl, yeas and nays were demanded.

The substitute amendment was lost by the following vote:

Yeas—25.

Albritton.	Mullally.
Anderson.	Negley.
Carpenter.	Petsch.
Coltrin.	Prendergast.
Conway.	Purl.
Cox of Limestone.	Rogers.
Forbes.	Sinks.
Hardy.	Snelgrove.
Hefley.	Veatch.
Johnson	West.
of Dimmit.	Williams
Kennedy.	of Sabine.
Moore.	Young.
Morse.	

Nays—83.

Mr. Speaker.	Barnett.
Ackerman.	Bateman.
Adkins.	Beck.
Allred.	Bond.
Baker.	Bounds.
Baldwin.	Brice.

Brooks.	Mankin.
Chastain.	Marks.
Cox of Lamar.	Mauritz.
Davis.	McCombs.
DeWolfe.	McDonald.
Dunlap.	McGill.
Enderby.	Metcalfe.
Eickenroht.	Mosely.
Farrar.	Olsen.
Finn.	Palmer.
Finlay.	Patterson.
Giles.	Pavlica.
Graves	Pool.
of Williamson.	Pope of Nueces.
Graves of Erath.	Ray.
Harman.	Reader.
Harper.	Renfro.
Harrison.	Richardson.
Heaton.	Riley.
Hines.	Sanders.
Hogg.	Savage.
Holder.	Shaver.
Hopkins.	Shelton.
Johnson of Smith.	Simmons.
Johnson of Scurry.	Stephens.
Jones.	Storey.
Justiss.	Tarwater.
Kayton.	Tillotson.
Keeton.	Turner.
Keller.	Van Zandt.
Kenyon.	Waddell.
King.	Webb.
Kinnear.	Wiggs.
Lee.	Williams
Lemens.	of Travis.
Loy.	Woodruff.
Magee.	

Absent.

Acker.	Maynard.
Bradley.	Mehl.
Gates.	Nicholson.
Gilbert.	O'Neill.
Harding.	Pope of Jones.
Hornaday.	Quinn.
Jenkins.	Reid.
Johnson	Stevenson.
of Dallam.	Terrell.
Kemble.	Thompson.
Land.	Warwick.
Long of Houston.	Williams
Long of Wichita.	of Hardin.
Martin.	

Absent—Excused.

Avis.	Murphy.
Duvall.	Rountree.
Ewing.	Sherrill.
Fuchs.	Speck.
Hubbard.	Strong.
Kincaid.	Wallace.
McKean.	Walters.
Minor.	Westbrook.
Montgomery.	

Mr. McCombs, being recognized by the Speaker, requested the floor for the pur-

pose of speaking on the pending question. This was refused because the previous question had been ordered. Mr. McCombs then requested the floor for the purpose of speaking on personal privilege. Mr. Morse made a point of order that Mr. McCombs could not speak until the House had voted upon the question upon which the previous question had been ordered.

The Speaker sustained the point of order.

Question then recurring on the amendment by Mr. Pool, it was lost by the following vote:

Yeas—38.

Adkins.	McCombs.
Albritton.	McGill.
Anderson.	Mosely.
Baldwin.	Negley.
Beck.	Patterson.
Carpenter.	Petsch.
Enderby.	Pool.
Forbes.	Prendergast.
Hardy.	Renfro.
Harrison.	Richardson.
Hefley.	Riley.
Hines.	Rogers.
Hopkins.	Shaver.
Johnson	Simmons.
of Dimmit.	Sinks.
Johnson of Scurry.	Van Zandt.
Kayton.	Veatch.
Keller.	West.
Kennedy.	Young.
Kinnear.	

Nays—67.

Ackerman.	Heaton.
Allred.	Hogg.
Baker.	Holder.
Barnett.	Johnson of Smith.
Bateman.	Jones.
Bond.	Justiss.
Bounds.	Keeton.
Brice.	Kenyon.
Brooks.	King.
Chastain.	Lee.
Coltrin.	Lemens.
Conway.	Loy.
Cox of Lamar.	Magee.
Cox of Limestone.	Mankin.
Davis.	Marks.
DeWolfe.	Mauritz.
Dunlap.	McDonald.
Eickenroht.	Metcalfe.
Farrar.	Moore.
Finn.	Morse.
Finlay.	Mullally.
Giles.	Palmer.
Graves	Pavlica.
of Williamson.	Purl.
Graves of Erath.	Ray.
Harman.	Reader.
Harper.	Sanders.

Savage.	Waddell.
Shelton.	Webb.
Snelgrove.	Wiggs.
Stephens.	Williams
Storey.	of Sabine.
Tarwater.	Williams
Tillotson.	of Travis.
Turner.	Woodruff.

Present—Not Voting.

Olsen.

Absent.

Mr. Speaker.	Maynard.
Acker.	Mehl.
Bradley.	Nicholson.
Gates.	O'Neill.
Gilbert.	Pope of Jones.
Harding.	Pope of Nueces.
Hornaday.	Quinn.
Jenkins.	Reid.
Johnson	Stevenson.
of Dallam.	Terrell.
Kemble.	Thompson.
Land.	Warwick.
Long of Houston.	Williams
Long of Wichita.	of Hardin.
Martin.	

Absent—Excused.

Avis.	Murphy.
Duvall.	Rountree.
Ewing.	Sherrill.
Fuchs.	Speck.
Hubbard.	Strong.
Kincaid.	Wallace.
McKean.	Walters.
Minor.	Westbrook.
Montgomery.	

Reasons for Vote on Pool Amendment.

I was heartily in favor of the Pool amendment and voted "no" solely for the purpose of "moving to reconsider." In order to make that motion I had to vote on the prevailing side. The Speaker ruled my motion out of order.

PURL.

Question then recurring on the committee amendment as amended, it was adopted by the following vote:

Yeas—95.

Mr. Speaker.	Brooks.
Ackerman.	Carpenter.
Adkins.	Chastain.
Allred.	Coltrin.
Anderson.	Conway.
Baker.	Cox of Lamar.
Baldwin.	Cox of Limestone.
Barnett.	Davis.
Bateman.	DeWolfe.
Bond.	Dunlap.
Brice.	Enderby.

Farrar.	Morse.
Finn.	Mullally.
Finlay.	Negley.
Forbes.	Olsen.
Giles.	Palmer.
Graves	Pavlica.
of Williamson.	Petsch.
Graves of Erath.	Pool.
Hardy.	Pope of Nueces.
Harman.	Prendergast.
Harper.	Purl.
Heaton.	Ray.
Hefley.	Reader.
Hines.	Renfro.
Hogg.	Richardson.
Holder.	Riley.
Hopkins.	Rogers.
Johnson	Sanders.
of Dallam.	Savage.
Johnson	Shaver.
of Dimmit.	Shelton.
Johnson of Smith	Simmons.
Johnson of Scurry.	Sinks.
Jones.	Snelgrove.
Justiss.	Stephens.
Kayton.	Storey.
Keeton.	Tarwater.
Keller.	Turner.
King.	Van Zandt.
Lee.	Veatch.
Lemens.	Webb.
Loy.	West.
Magee.	Wiggs.
Mankin.	Williams
Marks.	of Sabine.
Mauritz.	Williams
McCombs.	of Travis.
McGill.	Woodruff.
Metcalf.	Young.

Nays—9.

Albritton.	Kinnear.
Bounds.	Moore.
Harrison.	Patterson.
Kennedy.	Tillotson.
Kenyon.	

Absent.

Acker.	McDonald.
Beck.	Mehl.
Bradley.	Mosely.
Eickenroht.	Nicholson.
Gates.	O'Neill.
Gilbert.	Pope of Jones.
Harding.	Quinn.
Hornaday.	Reid.
Jenkins.	Stevenson.
Kemble.	Terrell.
Land.	Thompson.
Long of Houston.	Waddell.
Long of Wichita.	Warwick.
Martin.	Williams
Maynard.	of Hardin.

Absent—Excused.

Avis.	Duvall.
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Ewing.	Rountree.
Fuchs.	Sherrill.
Hubbard.	Speck.
Kincaid.	Strong.
McKean.	Wallace.
Minor.	Walters.
Montgomery.	Westbrook.
Murphy.	

Mr. Sanders, by unanimous consent, offered the following amendment to the bill:

Amend House bill No. 2 by striking out all above the enacting clause and insert in lieu thereof the following: A bill to be entitled "An Act relating to occupation tax on the production of sulphur, providing for an occupation tax of one dollar (\$1.00) per long ton of all sulphur produced within the State of Texas; providing for reports and records; imposing forfeitures and penalties for failure to keep records; providing penalties for failure to pay tax; directing the bringing of suit for the recovery of taxes, penalties and interest; providing for the appropriation and use of the revenues collected hereunder, and further providing that the taxes so derived shall be considered in reducing the tax rate for public free school purposes as determined by the State Tax Board, and the manner thereof; and enacting other provisions incident and necessary to the subject and purpose of this act; repealing all laws or parts of laws in conflict with this act, expressly repealing Article 7066, Revised Civil Statutes, and declaring an emergency."

Mr. Van Zandt offered the following amendment to the amendment:

Amend committee amendment No. 2 to House bill No. 2, in line 15, on page 6, after the word "act" by adding the following, "and declaring legislative intent."

The amendment was adopted.

The amendment as amended was then adopted.

House bill No. 2 was then passed to engrossment by the following vote:

Yeas—94.

Mr. Speaker.	Brooks.
Ackerman.	Carpenter.
Adkins.	Chastain.
Allred.	Coltrin.
Anderson.	Conway.
Baker.	Cox of Lamar.
Barnett.	Cox of Limestone.
Bateman.	Davis.
Beck.	DeWolfe.
Bond.	Dunlap.
Bradley.	Enderby.
Brice.	Farrar.

Finn.	Mosely.
Finlay.	Mullally.
Forbes.	Negley.
Giles.	Olsen.
Graves	Palmer.
of Williamson.	Pavlica.
Graves of Erath.	Pool.
Hardy.	Prendergast.
Harper.	Purl.
Heaton.	Ray.
Hines.	Reader.
Hogg.	Renfro.
Holder.	Richardson.
Hopkins.	Riley.
Johnson	Rogers.
of Dallam.	Sanders.
Johnson	Savage.
of Dimmit.	Shaver.
Johnson of Smith.	Shelton.
Johnson of Scurry.	Simmons.
Jones.	Sinks.
Justiss.	Snelgrove.
Kayton.	Stephens.
Keeton.	Storey.
Keller.	Tarwater.
Kennedy.	Turner.
King.	Van Zandt.
Lee.	Veatch.
Lemens.	Wallace.
Loy.	West.
Magge.	Wiggs.
Mankin.	Williams
Marks.	of Sabine.
Mauritz.	Williams
McCombs.	of Travis.
McDonald.	Woodruff.
McGill.	Young.
Metcalf.	

Nays—11.

Albritton.	Moore.
Bounds.	Morse.
Harman.	Patterson.
Harrison.	Pope of Nueces.
Kenyon.	Webb.
Kinnear.	

Present—Not Voting.

Hefley.

Absent.

Acker.	Nicholson.
Baldwin.	O'Neill.
Eickenroht.	Petsch.
Gates.	Pope of Jones.
Gilbert.	Quinn.
Harding.	Reid.
Hornaday.	Stevenson.
Jenkins.	Terrell.
Kemble.	Thompson.
Land.	Tillotson.
Long of Houston.	Waddell.
Long of Wichita.	Warwick.
Martin.	Williams
Maynard.	of Hardin.
Mehl.	

Absent—Excused.

Avis.	Montgomery.
Duvall.	Murphy.
Ewing.	Rountree.
Fuchs.	Sherrill.
Hubbard.	Speck.
Kincaid.	Strong.
McKean.	Walters.
Minor.	Westbrook.

Mr. Sanders moved to reconsider the vote by which the bill was passed to engrossment, and to table the motion to reconsider.

The motion to table prevailed.

HOUSE BILL NO. 2 ON THIRD READING.

Mr. Sanders moved that the constitutional rule requiring bills to be read on three several days be suspended and that House bill No. 2 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—94.

Mr. Speaker.	Holder.
Ackerman.	Hopkins.
Adkins.	Johnson
Allred.	of Dallam.
Anderson.	Johnson
Baker.	of Dimmit.
Baldwin.	Johnson of Smith.
Barnett.	Jones.
Bateman.	Justiss.
Beck.	Keeton.
Bond.	Keller.
Bradley.	King.
Brice.	Lee.
Brooks.	Lemens.
Chastain.	Loy.
Coltrin.	Magee.
Conway.	Mankin.
Cox of Lamar.	Marks.
Cox of Limestone.	Mauritz.
Davis.	McCombs.
DeWolfe.	McDonald.
Dunlap.	McGill.
Enderby.	Metcalfe.
Farrar.	Mosely.
Finn.	Mullally.
Finlay.	Negley.
Forbes.	Olsen.
Gilbert.	Palmer.
Giles.	Pavlica.
Graves	Petsch.
of Williamson.	Pool.
Graves of Erath.	Pope of Nueces.
Hardy.	Prendergast.
Harper.	Purl.
Heaton.	Ray.
Hefley.	Reader.
Hines.	Renfro.
Hogg.	Richardson.

Riley.	Turner.
Rogers.	Van Zandt.
Sanders.	Veatch.
Savage.	Wallace.
Shaver.	West.
Shelton.	Wiggs.
Simmons.	Williams
Sinks.	of Sabine.
Snelgrove.	Williams
Stephens.	of Travis.
Storey.	Woodruff.
Tarwater.	Young.

Nays—13.

Albritton.	Kenyon.
Bounds.	Kinnear.
Carpenter.	Moore.
Harman.	Morse.
Harrison.	Patterson.
Johnson of Scurry.	Webb.
Kennedy.	

Absent.

Acker.	Nicholson.
Eickenroht.	O'Neill.
Gates.	Pope of Jones.
Harding.	Quinn.
Hornaday.	Reid.
Jenkins.	Stevenson.
Kayton.	Terrell.
Kemble.	Thompson.
Land.	Tillotson.
Long of Houston.	Waddell.
Long of Wichita.	Warwick.
Martin.	Williams
Maynard.	of Hardin.
Mehl.	

Absent—Excused.

Avis.	Montgomery.
Duvall.	Murphy.
Ewing.	Rountree.
Fuchs.	Sherrill.
Hubbard.	Speck.
Kincaid.	Strong.
McKean.	Walters.
Minor.	Westbrook.

The Speaker then laid House bill No. 2 before the House on its third reading and final passage.

The bill was read third time.

Mr. Barnett moved the previous question on the passage of the bill, and the main question was ordered.

House bill No. 2 was then passed by the following vote:

Yeas—94.

Mr. Speaker.	Baldwin.
Ackerman.	Barnett.
Adkins.	Bateman.
Allred.	Beck.
Anderson.	Bond.
Baker.	Bradley.

Brice.	Mauritz.
Brooks.	McCombs.
Chastain.	McDonald.
Coltrin.	McGill.
Conway.	Metcalfe.
Cox of Lamar.	Mosely.
Cox of Limestone.	Mullally.
Davis.	Negley.
DeWolfe.	Olsen.
Dunlap.	Palmer.
Enderby.	Pavlica.
Farrar.	Petsch.
Finn.	Pool.
Finlay.	Prendergast.
Forbes.	Purl.
Gilbert.	Ray.
Giles.	Reader.
Graves	Renfro.
of Williamson.	Richardson.
Graves of Erath.	Riley.
Hardy.	Rogers.
Harper.	Sanders.
Heaton.	Savage.
Hines.	Shaver.
Holder.	Shelton.
Johnson	Simmons.
of Dallam.	Sinks.
Johnson	Snelgrove.
of Dimmit.	Stephens.
Johnson of Smith.	Storey.
Jones.	Tarwater.
Justiss.	Turner.
Kayton.	Van Zandt.
Keeton.	Veatch.
Keller.	Wallace.
Kennedy.	West.
King.	Wiggs.
Kinnear.	Williams
Lee.	of Sabine.
Lemens.	Williams
Loy.	of Travis.
Magee.	Woodruff.
Mankin.	Young.
Marks.	

Nays—14.

Albritton.	Kenyon.
Bounds.	Moore.
Carpenter.	Morse.
Harman.	Patterson.
Harrison.	Pope of Nueces.
Hefley.	Tillotson.
Johnson of Scurry.	Webb.

Absent.

Acker.	Hopkins.
Eickenroht.	Hornaday.
Gates.	Jenkins.
Harding.	Kemble.
Hogg.	Land.

Long of Houston.	Reid.
Long of Wichita.	Stevenson.
Martin.	Terrell.
Maynard.	Thompson.
Mehl.	Waddell.
Nicholson.	Warwick.
O'Neill.	Williams
Pope of Jones.	of Hardin.
Quinn.	

Absent—Excused.

Avis.	Montgomery.
Duvall.	Murphy.
Ewing.	Rountree.
Fuchs.	Sherrill.
Hubbard.	Speck.
Kincaid.	Strong.
McKean.	Walters.
Minor.	Westbrook.

Mr. Sanders moved to reconsider the vote by which the bill was passed, and to table the motion to reconsider.

The motion to table prevailed.

APPOINTMENT ON STANDING COMMITTEE ANNOUNCED.

The Speaker announced the appointment of Mike Hogg on the Committee on Revenue and Taxation to succeed Mr. Ewing.

ADJOURNMENT.

Mr. Anderson moved that the House adjourn until 10 o'clock a. m. tomorrow.

Mr. Finlay moved that the House adjourn until 9 o'clock a. m. tomorrow.

Mr. Wiggs moved that the House adjourn until 9:30 o'clock a. m. tomorrow.

The motion of Mr. Anderson prevailed, and the House, accordingly, at 6:15 o'clock p. m., adjourned until 10 o'clock a. m. tomorrow.

APPENDIX.

STANDING COMMITTEE REPORTS.

The following committees have filed favorable reports on bills, as follows:

Penitentiaries: House bills Nos. 1 and 10.

Revenue and Taxation: House bill No. 2.

Judiciary: House bills Nos. 23 and 24.

The Committee on Penitentiaries filed an adverse report on House bill No. 17.

In Memory
of
Hon. R. B. Ewing

Mr. Holder offered the following resolution:

Whereas, The Hon. R. B. Ewing, a member of the Forty-first Legislature, was, on the stroke of midnight of Monday, February 24th, A. D. 1930, called in death at his home in Franklin, Robertson county, Texas; and

Whereas, Mr. Ewing was an outstanding citizen of East Texas, having distinguished himself as a teacher, as a business man, as a community-minded citizen throughout his long and active career; and

Whereas, As a member of the Forty-first Legislature Mr. Ewing distinguished himself as an advocate of education in Texas, and through his labors and thought helped to promulgate a great constructive program of education for this State, and was at all times of and for the common people, exercising upon all questions a rare judgment as to the merits or demerits of such questions, and in his modest and retiring manner exemplifying all that is best in Southern manhood, come to maturity, winning the respect, love and affection of the Forty-first Legislature; therefore, be it

Resolved by the House of Representatives of the Forty-first Legislature, That we express our sincere sympathy to the family, relatives and friends of our deceased colleague; that a page of the Journal be set aside to the memory of the deceased, and that when the House adjourns at the close of its labors on this day that it do so in memory of and in respect to him; and be it further

Resolved, That the Chief Clerk be, and she is hereby, instructed to send an enrolled copy of this resolution to his family.

Signed—Barron (Speaker), Holder, Davis, Sanders, Wallace, Metcalfe, Acker, Ackerman, Adkins, Albritton, Allred, Anderson, Avis, Baker, Baldwin, Barnett, Bateman, Beck, Bond, Bounds, Bradley, Brice, Brooks, Carpenter, Chastain, Coltrin, Conway, Cox of Lamar, Cox of Limestone, DeWolfe, Dunlap, Duvall, Enderby, Eickenroht, Farrar, Finn, Finlay, Forbes, Fuchs, Gates, Gilbert, Giles, Graves of Williamson, Graves of Erath, Hardy, Harding, Harman, Harper, Harrison, Heaton, Hefley, Hines, Hogg, Hopkins, Hornaday, Hubbard, Jenkins, Johnson of Dallam, Johnson of Dimmit, Johnson of Smith, Johnson of Scurry, Jones, Justiss, Kayton, Keeton, Keller, Kemble, Kennedy, Kenyon, Kincaid, King, Kinnear, Land, Lee, Lemens, Long of Houston, Long of Wichita, Loy, Magee, Mankin, Marks, Martin, Mauritz, Maynard, McCombs, McDonald, McGill, McKean, Mehl, Minor, Montgomery, Mrs. Moore, Morse, Mosely, Mullally, Murphy, Mrs. Negley, Nicholson, Olsen, O'Neill, Palmer, Patterson, Pavlica, Petsch, Pool, Pope of Jones, Pope of Nueces, Prendergast, Purl, Quinn, Ray, Reader, Reid, Renfro, Richardson, Riley, Rogers, Rountree, Savage, Shaver, Shelton, Sherrill, Simmons, Sinks, Snelgrove, Speck, Stephens, Stevenson, Storey, Strong, Tawater, Thompson, Tillotson, Turner, Van Zandt, Veatch, Waddell, Walters, Warwick, Webb, West, Westbrook, Wiggs, Williams of Sabine, Williams of Hardin, Williams of Travis, Woodruff, Young.

The resolution was read second time.

Mr. Purl asked unanimous consent that the names of all members of the House be added to the resolution.

There was no objection offered.

The resolution was then adopted by a rising vote.

In Memory
of
Hon. Roger Byrne

Mr. Maynard offered the following resolution:

Whereas, Hon. Roger Byrne of Smithville, Bastrop county, Texas, departed this life the 24th day of February, A. D. 1930, at Austin, Texas, while attending a meeting of the State Highway Commission; and

Whereas, He had served his State with marked ability and distinction, having served District No. 127 in the House of Representatives during the Twenty-ninth, Thirtieth, Thirty-first, Thirty-second, Thirty-third and Thirty-fourth legislative sessions and at all times while in said services having supported those measures which had for their purposes the upbuilding of our State and the preservation of the rights and liberties of the people, and held the trust and admiration of his constituency and fellow-members at all times; now, therefore, be it

Resolved, That in the death of Roger Byrne society has lost a splendid member and the State a useful citizen; and be it further

Resolved, That the Chief Clerk be instructed to send a copy of this resolution to the family of Roger Byrne; that a page in the Journal be set aside in his honor, and that adjournment of the House today be in respect to his memory, and that a floral tribute be sent for his funeral.

Signed—Maynard, Sinks, Graves of Williamson, Davis, Pavlica, Veatch, Harman, Tillotson.

The resolution was read second time, and was adopted by a rising vote.